

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

CIVIL MINUTES

Judge: William Alsup Time in Court:  
5 hrs. 26 min.  
Date: May 16, 2016  
Case No. [3:10-cv-03561-WHA](#)

**Oracle America, Inc.** v. **Google, Inc.**

**Plaintiff Counsel**

Peter Bicks; Annette Hurst  
Matthew Bush; Lisa Simpson  
Gabriel Ramsey; Christina Von Der  
Ahe; George Saab (Corp Rep)

**Defense Counsel**

Robert Van Nest; Bruce Baber;  
Christa Anderson; Ed Bailey; Daniel  
Purcell; Matthias Kamber; Eugene  
Paige; Michael Kwun; Reid Mullen;  
Maya Karwande; Steven Ragland;  
Catherine Locavera (Corp Rep)

Deputy Clerk: Angella Meuleman

Reporter: Pam Batalo; Kathryn  
Sullivan

PROCEEDINGS

REASON FOR HEARING: Further Jury Trial - HELD

RESULT OF HEARING: Witnesses called.

CONTINUED TO: **May 17, 2016 at 7:30 am** for Further Jury Trial.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

[3:10-cv-03561-WHA](#)

**Oracle America, Inc v. Google Inc.**

**EXHIBIT and WITNESS LIST**

<b>JUDGE:</b>	<b>PLAINTIFF ATTORNEY:</b>	<b>DEFENSE ATTORNEY:</b>
William Alsup	Peter Bicks; Annette Hurst; Lisa Simpson; Gabriel Ramsey; Matthew Bush; Christina Von Der Ahe; George Saab (Corp rep)	Robert Van Nest; Christa Anderson; Bruce Baber; Ed Bailey; Daniel Purcell; Michael Kwun; Reid Mullen; Eugene Paige; Matthew Kamber; Maya Karwande; Catherine Locavera (Corp rep)
<b>JURY TRIAL:</b>	<b>REPORTERS:</b>	<b>CLERK:</b>
May 16, 2016	Pam Batalo; Kathryn Sullivan	Angella Meuleman
<b>FURTHER TRIAL DATE:</b>		
May 17 , 2016		

<b>PLF NO.</b>	<b>DEF NO</b>	<b>DATE /TIME OFFERED</b>	<b>ID</b>	<b>EVI. REC</b>	<b>DESCRIPTION</b>	<b>BY</b>
		7:25			Court in session. Outside the presence of the jury - Court and counsel discussed preliminary matters.	
	7792		X		Demonstrative drawing by Dan Bornstein.	
26			X	X	Email from D. Bornstein to <a href="mailto:cjd@google.com">cjd@google.com</a> , <a href="mailto:ahaberlach@google.com">ahaberlach@google.com</a> , and <a href="mailto:reviewlog9@google.com">reviewlog9@google.com</a> re A Medium-size Code Review	
		8:00			Jury present. Handout read aloud by the Court regarding Java platform given to the jury and collected back.	
		8:07			Defense counsel, Robert Van Nest, presents summary of evidence statement.	
		8:14			Plaintiffs' counsel, Peter Bicks, presents summary of evidence statement.	

		8:21			Defendant's witness, <b>Dan Bornstein</b> , on witness stand. Re-direct examination by Christa Anderson.	
	9139		X	X	Email from Dan Bornstein to Ihab Awad re Classpath exception stuff...	
					Witness shown exhibit 415 (previously admitted).	
		8:39			Sidebar.	
		8:42			Re-cross examination of witness by Annette Hurst.	
		8:46			Witness excused and discharged.	
		8:47			Reid Mullen reads a Stipulation aloud to the jury and is submitted as evidence into the record.	
		8:48			Defendant's witness, <b>Henrik Stahl, by video</b> . Deposition testimony taken 1/14/2016. Dan Purcell provides introduction.	
	7362; 7381; 7383; 7389		X X X X	X X X X	Email from Henrik Stahl to Nandini Ramani and George Saab. Email from Henrik Stahl to Amit Zavery, et al Oracle Presentation: Java Strategy Proposal Email from Henrik Stahl to Hasan Rizvi, et al	
		9:07			Defendant's witness, <b>Hasan Rizvi, by video</b> . Deposition testimony taken 7/28/2007. Dan Purcell provides introduction.	
	2199;  2223		X  X	X  X	PowerPoint; Author: SUN; Title: OneJava Market Landscape Discussion.  PowerPoint; Author: Oracle; Title: Project Javelin, Strategy and Milestones	
		9:15			Jury at Recess. Housekeeping matters discussed outside the presence of the jury.	
		9:16			Recess.	
		9:30			Resumed; Jury present.	
		9:33			Defendant's witness, <b>Craig Gering, by video</b> . Deposition testimony taken 7/20/2011. Dan Purcell provides introduction.	
	2052		X	X	PowerPoint; date 3/19/09; Author: Craig Gering, SR Dir. Mobile & Embedded, SUN Title: Java in Wireless Business Review.	
		9:40			Read-in of additional deposition testimony by Ed Bailey.	

	2053; 2061; 3508		X X X	X X X	Email dated 10/4/2006 from Lawrence Rau to Craig Gering. Email dated 1/21/2009 from Craig Gering to Vineet Gupta. Email from Nachi Periakaruppan to Craig Gering re meeting this week moved.	
		9:53			Defendant's witness, <b>Terrance Barr, by video.</b> Deposition testimony taken 12/09/2015. Reid Mullen provides introduction.	
	7459.1  7460.1  7234		X  X  X	X  X  X	Soooo, What About Google Android and phone ME? Terrance Barr Blog.  Poll: Which GTK Device Should We Port phoneME Advance to: Terrance Barr Blog  Email from Barr to Williams re: Dalvik	
		10:07	X	X	Two Requests for Admission responses read into the record by Reid Mullen, admitted into evidence.	
		10:10			Defendant's witness, <b>Owen Astrachan</b> , approaches the witness stand and sworn for testimony. Direct examination by Eugene Paige.	
	7642.1		X	X	CV for Owen Astrachan.	
					Witness shown and provides demonstrative explanation re: exhibit 43.1, previously admitted.	
		11:15			Jury at Recess. Matters re: direct and cross-examination of deposition testimony discussed outside the presence of the jury.	
		11:23			Court in Recess.	
		11:37			Resumed; Jury present. Jury given admonition by the Court re: qualification to the term transformativeness.	
		11:38			Direct examination of witness continues.	
	7793		X	X	Demonstrative exhibit of witness.	
		11:40			Cross-examination of witness by Annette Hurst.	
					Video clip of deposition testimony of Owen Astrachan played.	
5338			X	X	ACM Code of Ethics and Professional Conduct.	
		12:14			Re-direct examination of witness by Eugene Paige.	
		12:16			Re-cross examination of witness by Annette Hurst.	

		12:17			Witness excused.	
		12:17			Defense RESTS.	
5868; 7368; 7237; 7239; 2036	573; 2009; 2010; 2019; 2021; 2237; 2564		X	X	Exhibits stipulated to between the parties.	
		12:22			Plaintiff's witness, <b>Safra Catz</b> , approaches the witness stand and sworn for testimony. Direct examination by Annette Hurst.	
6972			X		Oracle.com - Press Release: Oracle buys Sun.	
2362			X	X	Email chain from Larry Ellison to Jonathan Schwartz re: btw. Jury instructed by the Court that exhibit is limited to factually show communication existed by Sun prior to the acquisition.	
5295			X		Oracle/Sun reply re document titled "Questions and comments on the SECOND draft Form CO of 24 July 2009."	
464			X	X	Certificate of Registration, Java 2 Standard Edition 1.4	
475			X	X	Certificate of Registration, Java 2 Standard Edition, Version 5.0	
		12:55			Jury recessed.	
		12:56			Rule 50 and procedural history matters discussed outside the presence of the jury.	
		1:00			Court in recess.	